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19 Siemens Industry Software Inc.

20 UNITED STATES DISTRICT COURT

21 NORTHERN DISTRICT OF CALIFORNIA

22 SAN FRANCISCO DIVISION

23 SYNOPSYS, INC.,

24 Plaintiff,

25 v.

26 SIEMENS INDUSTRY SOFTWARE INC.,

27 Defendant.
28

Case No. 3:20-cv-04151-WHO (LB)

**DEFENDANT SIEMENS INDUSTRY
SOFTWARE INC.'S UNOPPOSED
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE STATEMENT OF
RECENT DECISION**

Pursuant to Civil Local Rule 7-11 Siemens respectfully moves for leave to file a Statement of Recent Decision, in this matter related to Defendant's Motion for Summary Judgment (ECF No. 317-17). Siemens met and conferred with opposing counsel; this motion is unopposed. Pursuant to Civil Local Rule 7-11, this motion is submitted with:

- A Proposed Order granting leave to file a Statement of Recent Decision;
- A Stipulation pursuant to Civil Local Rules 7-11(a) and 7-12; and
- The Proposed Statement of Recent Decision, including Exhibit A (a copy of *Brumfield, Trustee for Ascent Trust v. IBG LLC*, No. 2022-1630, 2024 WL 1292151 (Fed. Cir. Mar. 27, 2024)).

Local Rule 7-3(d)(2) only permits a party to file a Statement of Recent Decision for a relevant opinion published after the date the opposition or reply was filed, if the party does so before the noticed hearing date. The briefing on Defendant's Motion for Summary Judgment completed on January 19, 2024, and the hearing was held on February 7, 2024.

On March 27, 2024, the Federal Circuit issued an opinion containing the following passage, indicating that a case that Siemens cited in its briefing has been superseded:

For a determination whether patent damages are properly awarded in a particular case based partly on conduct abroad, the decision in *WesternGeco* established a framework of analysis that necessarily supersedes the analysis set forth in our earlier decision *Power Integrations*. . . . We do not parse *Power Integrations* to identify which particular sentences are now superseded by *WesternGeco*.

Brumfield, Tr. for Ascent Tr. v. IBG LLC, No. 2022-1630, 2024 WL 1292151, at *12 (Fed. Cir. Mar. 27, 2024). Siemens cited the noted *Power Integrations* case in its Motion for Summary Judgment. Siemens seeks leave to file supplemental authority to make the Court aware of this case.

1 April 1, 2024

Respectfully submitted,

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